



COMMONWEALTH OF AUSTRALIA

ELIZABETH THE SECOND, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth:

TO:

THE HONOURABLE DAME ROMA FLINDERS MITCHELL, DBE, LL.B.

GREETING:

WHEREAS by Letters Patent issued in Our name by Our Governor-General of the Commonwealth of Australia on 9 February 1984 We appointed you to be a Commissioner to inquire into and report upon certain matters relating to certain prosecutions that had been instituted by persons acting on behalf of the Commonwealth of Australia:

AND WHEREAS it is desirable that those Letters Patent be varied in certain respects:

NOW THEREFORE We do, by these Our Letters Patent issued in Our name by Our Governor-General of the Commonwealth of Australia on the advice of the Federal Executive Council and in pursuance of the Constitution of the Commonwealth of Australia, the Royal Commissions Act 1902 and other enabling powers, declare that the Letters Patent issued on 9 February 1984 shall have effect as if -

- (a) the reference in the fourth recital in those Letters Patent to the acts and omissions of officers of the Commonwealth were a reference instead to the acts and omissions of officers and representatives of the Commonwealth;
- (b) for the words “AND We require you, in conducting your inquiry” there were substituted “AND We require you, in conducting your inquiry and in making your recommendations”;
- (c) there were omitted from sub-paragraph (b) thereof the words “but that there was not any conduct associated with the prosecutions which, in the event of litigation, would found an award of aggravated or exemplary damages”;
- (d) there were omitted from sub-paragraph (e) thereof the word “and”; and
- (e) after sub-paragraph (f) thereof there were added the following sub-paragraphs:
 - “(g) to assume that the conduct of the prosecutions and the events which occurred in connection with them were not actuated by malice or other improper motive; and
 - (h) to make no recommendation for compensation in the nature of exemplary damages:”.

WITNESS His Excellency the Right Honourable Sir Ninian Martin Stephen, a member of Her Majesty's Most Honourable Privy Council, Knight of the Order of Australia, Knight Grand Cross of The Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of The Royal Victorian Order, Knight Commander of The Most Excellent Order of the British Empire, Knight of the Most Venerable Order of the Hospital of Saint John of Jerusalem, Governor-General of the Commonwealth of Australia and Commander-in-Chief of the Defence Force.

Dated this sixteenth day of August 1984

Governor-General

By His Excellency's Command,

Prime Minister